

Application No.: 10/617893

Case No.: 56852US004

REMARKS

Claims 1 to 60 are pending. Claims 7, 8, 10 and 48 have been canceled. Claims 49 to 60 have been withdrawn from consideration. Claims 1, 9 and 11-15 have been amended.

Claim 1 has been amended to state that the edge-forming portions have an elliptical transverse cross-section, and that the flexible web portion has a reduced thickness relative to at least one of the edge-forming portions. Support for this amendment may be found in the specification at, for example, page 6, lines 9-14, and page 7, lines 20-30. Claims 9 and 11-15 have been amended to change dependency from a cancelled to a pending claim.

§ 102 Rejections

Claims 1-3, 7-9, 16-22, 29-30, 32-33, 36, 38, 42-44 and 48 were rejected under 35 USC § 102(e) as being anticipated by Voss.

Claim 1, the only pending independent claim, has been amended to state that the edge-forming portions have an elliptical transverse cross-section, and that the flexible web portion has a reduced thickness relative to at least one of the edge-forming portions. Dependant claims 2-6, 9, and 11-47, all ultimately depend from claim 1 and thus contain all of the limitations of claim 1.

Voss discloses various masking articles having a two-part adhesive. Significantly, Voss does not disclose or suggest a masking article having edge-forming portions having an elliptical transverse cross-section, separated by a flexible web portion having a reduced thickness relative to at least one of the edge-forming portions, as described in claim 1 of the pending application.

Thus independent claim 1, and dependant claims 2-6, 9, and 11-47, are novel over the disclosure in Voss.

§ 103 Rejections

Claims 4-6, 28, 31 and 39-41 were rejected under 35 USC § 103(a) as being unpatentable over Voss in view of Western.

As stated above, Voss does not disclose or suggest a masking article having edge-forming portions having an elliptical transverse cross-section, separated by a flexible web portion having a reduced thickness relative to at least one of the edge-forming portions, as described in claim 1 of

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the pending application. Thus dependant claims 4-6, 28, 31 and 39-41 are also not obvious in light of the disclosure of Voss. Thus Voss, even if combinable with Western, does not obviate the claims of the present invention.

Finally, Claims 10-15, 21 and 34-35 were rejected under 35 U.S.C. 103(a) as being unpatentable over Voss in view of Jevons. Claim 10 has been cancelled, thus obviating the rejection as to this claim. For the reasons stated above, pending claims 11-15, 21, and 34-35 are not obviated by the disclosure of Voss. Jevons discloses a masking foam tape having various profiles. Significantly, Jevons does not disclose or suggest a masking article comprising an elongate strip having first and second edge forming portions having an elliptical transverse cross-section, separated by a flexible web portion having a reduced thickness relative to at least one of the edge forming portions. Thus Voss, even if combinable with Jevons, does not obviate the claims of the present invention.

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested.

Respectfully submitted,

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Date

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